

CROSSINGS.

UNLESS SPECIFICALLY MODIFIED OR CHANGED BY THIS SUBTITLE, EACH PROVISION OF THE MARYLAND VEHICLE LAW APPLICABLE TO MOTOR VEHICLES ON HIGHWAYS APPLIES ON ALL VEHICULAR CROSSINGS.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 66 1/2, §11-1411(b).

21-1403. RULES AND REGULATIONS FOR USER SAFETY.

TO PROMOTE SAFETY FOR USERS OF VEHICULAR CROSSINGS, THE MARYLAND TRANSPORTATION AUTHORITY MAY+

~~(1) ADOPT RULES AND REGULATIONS GOVERNING TRAFFIC USING THE VEHICULAR CROSSINGS; AND~~

~~(2) PROVIDE PENALTIES OF NOT MORE THAN \$100 FOR EACH VIOLATION OF ANY PROVISION OF THESE RULES AND REGULATIONS.~~

REVISOR'S NOTE: This section is new language derived from former Art. 89E, §120B, previously decodified and now appearing in Section 3 of Ch. 608, Acts of 1976.

It is revised and placed here to provide a uniform placement and treatment of all traffic regulations relating to vehicular crossings. See, also, Title 4 of this article.

The Commission notes that this section is limited to rules and regulations promoting "safety for users"; shouldn't it equally permit rules and regulations for the general preservation of property, as in §21-1411 of this subtitle?

As to item (2) of this section, this delegation of authority to provide for penalties of up to \$100, in the absence of legislative standards, may well be an invalid delegation of legislative powers and otherwise violative of due process of law requirements. See, County Council v. Investors Funding, 270 Md. 403, 441-443 (1973); discussed, 35 Md. L. Rev. 414, 449 et seq. (1976). The General Assembly might consider establishing a statutory penalty of up to \$100 for violations or, alternatively, defer to the standard penalties of Title 27 of this article which, under §27-102 of this article, apply to violations of rules and regulations as well.

21-1404. TRAFFIC TO COMPLY WITH SIGNS, ORDERS, ETC.